

1 DAVID Z. CHESNOFF, ESQ.
2 *Pro Hac Vice*
3 RICHARD A. SCHONFELD, ESQ.
4 California Bar No. 202182
5 CHESNOFF & SCHONFELD
6 520 South Fourth Street
7 Las Vegas, Nevada 89101
8 Telephone: (702) 384-5563
9 dzchesnoff@cslawoffice.net
10 rschonfeld@cslawoffice.net
11 Attorneys for Defendant, ALEXANDER SMIRNOV

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 * * * * *

15 UNITED STATES OF AMERICA,)
16)
17 Plaintiff,)
18) Case No. 2:24-CR-00091-ODW
19 v.)
20)
21 ALEXANDER SMIRNOV,)
22)
23 Defendant,)
24)
25)
26)
27)
28)

29 **DEFENDANT'S UNOPPOSED EX PARTE MOTION TO**
30 **MODIFY PROTECTIVE ORDER (ECF. NO. 59) (MAR. 19, 2024)**

31 COMES NOW, Defendant, ALEXANDER SMIRNOV ("Mr. Smirnov"), by and through
32 his attorneys, DAVID Z. CHESNOFF, ESQ., and RICHARD A. SCHONFELD, ESQ., of the law
33 firm of CHESNOFF & SCHONFELD and hereby submits this Unopposed *Ex Parte* Motion to
34 Modify the Protective Order (ECF No. 59, Mar. 19, 2024) (attached as Exhibit 1), as set forth in
35 the Proposed Order (attached as Exhibit 2).

36 Counsel for Mr. Smirnov advises that BILAL A. ESSAYLI, U.S. ATTORNEY and
37 DAVID R. FRIEDMAN, AUSA, have been apprised of this Unopposed *Ex Parte* Motion and
38

1 Proposed Order, and that they expressly concur with and do not oppose either submission or the
2 relief that is being requested. *See* Declaration of David Z. Chesnoff, Esq., *infra*.

3 Dated this 17th day of April, 2025.

4 Respectfully Submitted:

5 CHESNOFF & SCHONFELD

6 /s/ David Z. Chesnoff

7 DAVID Z. CHESNOFF, ESQ.

8 *Pro Hac Vice*

9 RICHARD A. SCHONFELD, ESQ.

10 California Bar No. 202182

11 520 South Fourth Street

12 Las Vegas, Nevada 89101

13 Telephone: (702)384-5563

14 dzchesnoff@cslawoffice.net

15 rschonfeld@cslawoffice.net

16 Attorneys for Defendant

17 ALEXANDER SMIRNOV

PROCEDURAL HISTORY

1
2 1. On February 14, 2024, the United States filed a two-count Indictment in Case No.
3 2:24-CR-00091-ODW. *See* ECF No. 1.

4 2. On March 15, 2024, the parties submitted a “Stipulation and Joint Request for a
5 Protective Order Regarding Discovery Containing Personal Identifying Information; Privacy Act
6 Information; Grand Jury Information; and Sensitive U.S. Government Information.” ECF No. 58.

7
8 3. On March 19, 2024, this Court entered an Order granting the Stipulation and Joint
9 Request. ECF No. 59 (Ex. 1).

10 4. Mr. Smirnov has, to date, complied with each and every order, command, and
11 restriction set forth in that Protective Order.

12 5. On December 12, 2024, after the United States had filed a second Indictment
13 charging Mr. Smirnov with certain federal tax offenses (*see* ECF No. 1 in Case No. 2:24-CR-
14 00702-ODW), the parties entered into a binding plea agreement under Fed. R. Crim. P. (c)(1)(C),
15 which this Court accepted. *See* ECF Nos. 195, 199 (No. 2:24-CR-00091-ODW) & Nos. 9, 11 (No.
16 2:24-CR-00702-ODW).

17
18 6. On January 8, 2025, this Court sentenced Mr. Smirnov principally to 72 months’
19 imprisonment. *See* ECF No. 216 & 37 (Judgment in Nos. 2:24-CR-00091-ODW and 2:24-CR-
20 00702-ODW); *see also* ECF No. 223 & 42 (Amended Judgment in Nos. 2:24-CR-00091-ODW
21 and 2:24-CR-00702-ODW) (Jan. 16, 2025).
22
23
24
25
26
27
28

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
UNOPPOSED MOTION TO TERMINATE PROTECTIVE ORDER

7. Now that judgment has been entered, the parties agree and jointly stipulate that a modification to the Protective Order is appropriate. Specifically, the parties agree that defendant should be able to share discovery subject to the Protective Order with other officials in the Executive Branch, provided that counsel for the Government consents to the disclosure.

8. Accordingly, the parties further agree that this Court's Protective Order dated March 19, 2024 (Ex. 1)—together with any and all orders, commands, and restrictions contained in that Protective Order—shall be modified in accordance with the Proposed Order attached as Exhibit 2.

CONCLUSION

For the foregoing reasons, Mr. Smirnov requests that this Court GRANT his Unopposed *Ex Parte* Motion, as set forth in the Proposed Order.

SUBMITTED this 17th day of April, 2025.

Respectfully Submitted:

CHESNOFF & SCHONFELD

/s/ David Z. Chesnoff

DAVID Z. CHESNOFF, ESQ.

Pro Hac Vice

RICHARD A. SCHONFELD, ESQ.

California Bar No. 202182

520 South Fourth Street

Las Vegas, Nevada 89101

Telephone: (702)384-5563

rschonfeld@cslawoffice.net

dzchesnoff@cslawoffice.net

Attorneys for Defendant

ALEXANDER SMIRNOV

DECLARATION OF COUNSEL

I, David Z. Chesnoff, do hereby declare that the following statements are true and correct:

1. I am co-counsel of record for Defendant Alexander Smirnov in this case.

2. The assertions in this Unopposed *Ex Parte* Motion to Modify the Protective Order (ECF No. 59) are true and correct upon information and belief.

3. Undersigned counsel has communicated with United States Attorney Bilal A. Essayli and Assistant United States Attorney David R. Friedman, who advise that the Government expressly concurs with and does not oppose this *Ex Parte* Motion to Modify the Protective Order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 17th day of April, 2025.

DAVID Z. CHESNOFF



CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2025, I caused the forgoing document to be filed electronically with the Clerk of the Court through the CM/ECF system for filing; and served on counsel of record via the Court's CM/ECF system.

/s/ Camie Linnell

Employee of Chesnoff & Schonfeld